

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Maryland on the following ☐ Patents or ☒ Trademarks:


DOCKET NO. CCB-11-CV-514	DATE FILED 2/25/11	U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND
PLAINTIFF QAULITY SERVICE GROUP, INC.		DEFENDANT MONTE OF ANNAPOLIS, INC., ET AL
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 3,470,058		
2 2,819,726		
3		
4		
5		

In the above-entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK Felicia C. Cannon	(BY) DEPUTY CLERK 	DATE 2/28/11
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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

QUALITY SERVICE GROUP, LLC
477 S. Rosemary Ave, Suite 309
West Palm Beach, FL 33401

Plaintiff,

vs.

MONTE OF ANNAPOLIS, INC.,
D/B/A "BLUE MARTINI"
2444 Solomons Island Road
Annapolis, Maryland 21401

Serve On:
Domenica Tripodi, Resident Agent
2444 Solomons Island Road
Annapolis, Maryland 21401

and

DOMENICA TRIPODI
2444 Solomons Island Road
Annapolis, Maryland 21401

and

WILLIE KOUTRUMPOUS
2444 Solomons Island Road
Annapolis, Maryland 21401

and

BLUE MARTINI
2444 Solomons Island Road
Annapolis, Maryland 21401

Serve On:
Domenica Tripodi
2444 Solomons Island Road
Annapolis, Maryland 21401

Defendants.

CCB11 CV 0514

Case No. : _____

**COMPLAINT FOR TRADEMARK, TRADE NAME AND DOMAIN NAME
INFRINGEMENT, FALSE DESIGNATION OF ORIGIN,
UNFAIR COMPETITION AND FALSE ADVERTISING**

Plaintiff Quality Service Group, LLC ("QSG"), through its attorney, complaining of Defendants Monte of Annapolis, Inc., d/b/a "Blue Martini," Domenica Tripodi and Willie Koutrumpous, alleges as follows:

STATEMENT OF THE CASE

1. This is an action for injunctive relief and damages under the Lanham Act and the common law based on Defendants' unlawful adoption and use of (a) QSG's BLUE MARTINI registered trademark and trade name, and (b) the domain name bluemartiniannapolis.com.

THE PLAINTIFF

2. Plaintiff Quality Service Group, LLC is a limited liability company organized and existing under the laws of the State of Florida with its principal place of business 477 S. Rosemary Ave, Suite 309, West Palm Beach, FL 33401.

3. QSG licenses and operates the BLUE MARTINI chain of restaurants, bars, and nightclubs. BLUE MARTINI was first adopted and used by QSG and its predecessors as early as October 25, 1999, and in interstate commerce at least as early as October 2000. The BLUE MARTINI restaurants, bars, and nightclubs are well known and recognized by the consuming public. It currently owns and operates ten establishments with many more in various stages of preparation for opening.

THE DEFENDANTS

4. Upon information and belief, defendant Monte of Annapolis, Inc. is a corporation organized and existing under the laws of the State of Maryland with its principal place of business at 2444 Solomons Island Road, Annapolis, Maryland 21401.

5. Upon information and belief, Monte of Annapolis, Inc. owns and operates the “Blue Martini” restaurant and bar located at 2444 Solomons Island Road, Annapolis, Maryland 21401 (the “Infringing Premises”).

6. Upon information and belief, defendant Domenica Tripodi is President of Monte of Annapolis, Inc.

7. Upon information and belief, defendant Willie Koutrumpous is an officer or shareholder of Monte of Annapolis, Inc.

8. Upon information and belief, defendant Blue Martini is the registered owner of the domain name bluemartiniannapolis.com, which was first registered on October 16, 2009, and continues to advertise the Infringing Premises.

9. Upon information and belief, all of the named Defendants are working individually and in concert with each other and are collectively referred to herein as “Defendants”.

JURISDICTION AND VENUE

10. Subject matter jurisdiction over the Lanham Act claims in this action is conferred upon the Court pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331, 1338 and 1367.

11. Upon information and belief, this Court has personal jurisdiction over Defendants, who transact business in this judicial district by advertising, owning and operating the Infringing Premises.

12. Upon information and belief, venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) because Defendants have substantial contacts with this judicial district and/or a substantial part of the events or omissions giving rise to the claims in this Complaint occurred in this judicial district.

FACTS AND ALLEGATIONS COMMON TO ALL CLAIMS

13. QSG is the owner of the federally registered trademarks for BLUE MARTINI, Reg. Nos. 3470058 and 2819726, for: Restaurant and bar services, in International Class 43 (“the BLUE MARTINI Mark”). A true and correct copy of the registration certificates are attached hereto as Exhibit 1.

14. Since at least as early as October 2000, Plaintiff has continually advertised, marketed and engaged in its restaurant and bar business under the BLUE MARTINI Mark. The BLUE MARTINI mark consists of the words “BLUE MARTINI,” and also consists of a stylized logo of a silhouette of a martini glass with a stylized olive appearing to be swirled with the word BLUE above and MARTINI below.

15. Plaintiff has extensively advertised and marketed its BLUE MARTINI establishments throughout the United States and has developed a worldwide reputation for the facilities that it operates.

16. Plaintiff’s BLUE MARTINI establishments bearing the BLUE MARTINI Mark, by reason of their name, style, distinctive design and ambiance, have come to be known by the purchasing public throughout the United States as being of the highest quality. As a result thereof, the BLUE MARTINI Mark and the goodwill associated therewith are of inestimable value to Plaintiff.

17. The BLUE MARTINI Mark has developed secondary meaning and significance in the minds of the relevant purchasing public as being associated with Plaintiff.

18. Upon information and belief, in or around December, 2009, Defendants adopted and began use of the words "Blue Martini" as a mark and trade name in connection with its restaurant and bar.

19. Upon information and belief, on April 2, 2010, Defendants filed for trade name registration for "Blue Martini" with the Maryland Secretary of State.

20. On September 29, 2010, Defendants' attorney, Morton S. Taubman, Esq., of the firm Leser, Hunter, Taubman & Taubman, wrote to Plaintiff's attorney, representing that "my client has determined to change the concept as well as the name of his present location in Annapolis. It will take approximately 15-30 days to accomplish the name change due to the regulatory requirements ... and as soon as the name change approval is provided ..., the name will immediately be changed."

21. On October 26, 2010, Defendants' attorney again wrote to Plaintiff's attorney, assuring him that the name of the Infringing Premises would be changed and the sign taken down "within the next 20 days."

22. In November 2010 and January 2011, Defendants and Defendants' attorney have given their promises and assurances that Defendants would cease using Plaintiff's BLUE MARTINI Mark, but Defendants continue to use it, including but not limited to answering their telephone as "Blue Martini."

23. Upon information and belief, Defendants have infringed, are infringing and will continue to infringe Plaintiff's BLUE MARTINI Mark.

24. Upon information and belief, Defendants have advertised and promoted, are advertising and promoting, and will continue to advertise and promote their establishments in this judicial district and throughout the United States all in contravention of Plaintiff's superior rights in and to its BLUE MARTINI Mark and BLUE MARTINI trade dress.

25. Defendants' use of the confusingly similar designation trademark, trade name and trade dress are not authorized or approved by Plaintiff.

26. Defendants' adoption and use of the domain name bluemartiniannapolis.com (hereinafter "Defendants' Domain Name") is in direct violation of Plaintiff's rights in its BLUE MARTINI Mark. Defendants' Domain Name was registered in bad faith.

27. Plaintiff's registered BLUE MARTINI Mark is vital to Plaintiff and Plaintiff will suffer irreparable harm if Defendants are allowed to continue engaging in the restaurant and bar business bearing a mark confusingly similar to the BLUE MARTINI Mark.

AS AND FOR A FIRST CAUSE OF ACTION
Federal Trademark Infringement
(15 U.S.C. §§ 1114-1117; Lanham Act § 32-35)

28. Plaintiff realleges and incorporates by reference each of the allegations contained in paragraphs 1 through 27 of this Complaint.

29. Without Plaintiff's consent, Defendants have used and are using a mark or designation, to wit, "Blue Martini," in connection with advertising and operating the Infringing Premises. Such mark or designation is identical to Plaintiff's BLUE MARTINI Mark and therefore confusingly similar.

30. Defendants' act of trademark infringement was and is being committed willfully and with the intent to cause confusion, mistake or deception in violation of 15 U.S.C. § 1114.

31. As a direct and proximate result of Defendants' infringing activities, Plaintiff has suffered substantial damage, including without limitation irreparable damage to its business reputation and goodwill.

32. Unless enjoined, Defendants' infringement of Plaintiff's BLUE MARTINI Mark as alleged herein will continue to cause irreparable harm and injury to Plaintiff's business and goodwill for which there is no adequate remedy at law.

33. Defendants' conduct has also caused and, unless enjoined, will continue to cause inevitable public confusion for which there is no adequate remedy at law.

34. Consequently, Plaintiff is entitled to injunctive relief pursuant to 15 U.S.C. § 1116.

35. Pursuant to 15 U.S.C. § 1117, Plaintiff is entitled to recover damages in an amount to be determined at trial, including but not limited to the profits earned by Defendants from their misappropriation and unauthorized use of the BLUE MARTINI Mark.

36. Defendants' trademark infringement as alleged herein is an exceptional case and undertaken willfully, thereby entitling Plaintiff to receive three times its actual damages or three times Defendants' profits, whichever is greater, and to an award of attorneys' fees under 15 U.S.C. §§ 1117(a) and (b).

37. Pursuant to 15 U.S.C. § 1118, Plaintiff is entitled to the destruction of all plaques, posters, signs, labels, packages, wrappers, receptacles, advertisements and advertising materials, web pages, napkins, glasses, t-shirts and other merchandise bearing the infringing mark or designation which are in the possession of Defendants or under Defendants' control.

AS AND FOR A SECOND CAUSE OF ACTION
False Designation of Origin, Unfair Competition, False Advertising
(15 U.S.C. § 1125(a); Lanham Act § 43(a))

38. Plaintiff realleges and incorporates by reference each of the allegations contained in paragraphs 1 through 37 of this Complaint.

39. Defendants' conduct complained of herein constitutes the use of symbols or devices tending falsely to describe the infringing product within the meaning of 15 U.S.C. §1125(a)(1). Defendants' conduct is likely to cause confusion, mistake or deception by or in the public as to the affiliation, connection, association, origin, sponsorship or approval of the infringing product to the detriment of Plaintiff and in violation of 15 U.S.C. §1125(a)(1).

40. Defendants' conduct was undertaken willfully and with the intent to cause confusion, mistake and deception on the part of the public.

41. Defendants' conduct has substantially damaged Plaintiff's business reputation and good will.

42. Defendants' conduct has caused and, unless enjoined, will continue to cause irreparable harm and injury to Plaintiff's business reputation and goodwill for which there is no adequate remedy at law.

43. Defendants' conduct has also caused and, unless enjoined, will continue to cause inevitable public confusion for which there is no adequate remedy at law.

44. Plaintiff is therefore entitled to injunctive relief pursuant to 15 U.S.C. § 1116.

45. Pursuant to 15 U.S.C. § 1117, Plaintiff is entitled to recover damages in an amount to be determined at trial, including but not limited to the profits earned by Defendant from its misappropriation of the BLUE MARTINI Mark and/or unauthorized use of a mark or designation confusingly similar to the BLUE MARTINI Mark.

46. Defendants' trademark infringement as alleged herein is an exceptional case and undertaken willfully, thereby entitling Plaintiff to receive three times its actual damages or three times Defendants' profits, whichever is greater, and to an award of attorneys' fees under 15 U.S.C. §§ 1117(a) and 1117(b).

47. Pursuant to 15 U.S.C. § 1118, Plaintiff is entitled to the destruction of all plaques, posters, signs, labels, packages, wrappers, receptacles, advertisements and advertising materials, web pages, napkins, glasses, t-shirts and other merchandise bearing the infringing mark or designation which are in the possession of Defendants or under Defendants' control.

AS AND FOR A THIRD CAUSE OF ACTION
Common Law Trademark and Trade Dress Infringement, Unfair Competition
and False Designation of Origin

48. Plaintiff realleges and incorporates by reference each of the allegations contained in paragraphs 1 through 47 of this Complaint.

49. Plaintiff has expended substantial time, resources and effort to develop and obtain an excellent reputation and good will for itself and its BLUE MARTINI Mark.

50. Defendant has knowingly and willfully adopted a confusingly similar mark and trade dress in an unlawful effort to create the impression that it is approved, authorized and endorsed by Plaintiff and to appropriate to itself all of the goodwill associated with the BLUE MARTINI Mark. Defendants' unlawful acts in appropriating the aforesaid exclusive rights of Plaintiff were intended to capitalize on Plaintiff's goodwill for Defendants' own pecuniary gain.

51. Defendants unlawful adoption and use of the BLUE MARTINI Mark (a) are calculated to and are likely to confuse, deceive and mislead consumers into believing that it originated or is authorized by Plaintiff, and (b) has likely caused and are likely to continue to cause confusion as to its source, all to the detriment of Plaintiff.

52. Upon information and belief, Defendants have obtained gains, profits and advantages as a result of its impermissible and unlawful use of Plaintiff's BLUE MARTINI Mark in an amount not yet determined or ascertainable.

53. Defendants' acts as alleged in this complaint constitute unfair competition and will, unless enjoined by this Court, result in (a) damage to and destruction and/or diversion of Plaintiff's goodwill in its BLUE MARTINI Mark, and (b) the unjust enrichment of Defendants.

AS AND FOR A FOURTH CAUSE OF ACTION
False Designation of Origin, Unfair Competition, False Advertising
Anti-Cybersquatting Consumer Protection Act ("ACPA")
(15 U.S.C. § 1125(d); Lanham Act § 43(d))

54. Plaintiff realleges and incorporates by reference each of the allegations contained in paragraphs 1 through 53 of this Complaint.

55. Defendants registered the domain name bluemartiniannapolis.com through TUCOWS, Inc. on October 16, 2009.

56. Defendants registered the domain name bluemartiniannapolis.com having a bad faith intent to profit from the BLUE MARTINI Mark.

57. As aforesaid, Plaintiff's BLUE MARTINI Mark is distinctive, and was distinctive as of the date of the registration of Defendants' Domain Name.

58. Defendants' Domain Name fully incorporates Plaintiffs BLUE MARTINI Mark, and is therefore identical to, and/or confusingly similar to that Mark.

59. Pursuant to 15 U.S.C. § 1125(d)(1)(C), Plaintiff is entitled to the transfer of the domain names to itself.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this Court enter judgment against Defendants as follows:

(a) Granting Plaintiff a preliminary and permanent injunction restraining Defendants and any person or entity acting in concert with it from (1) engaging in any act alleged herein in violation of the United States trademark laws, including but not limited to the use of the infringing mark or designation "Blue Martini" or any other mark or logo confusingly similar to the BLUE MARTINI Mark; and (2) engaging in any other act that constitutes infringement, unfair competition, false advertising or trademark dilution in violation of Plaintiffs' rights, including but not limited to the use of the infringing mark or designation "Blue Martini" on Facebook, Twitter and other social networking sites under Defendants' control;

(b) Requiring Defendants to take any action as may be directed by the Court for the purpose of attempting to alleviate or remedy confusion among consumers caused by Defendants' conduct complained of herein;

(c) Awarding Plaintiff damages pursuant to 15 U.S.C. § 1117(a) sufficient to compensate Plaintiff for Defendants' false designation of origin, unfair competition and trademark dilution with respect to the BLUE MARTINI Mark;

(d) Ordering Defendants to account to Plaintiff for its profits derived by reason of its misappropriation of the BLUE MARTINI Mark and use of the mark or designation "BLUE MARTINI;"

(e) Pursuant to 15 U.S.C. § 1117, awarding Plaintiff the greater of three times Defendants' profits or three times any damages sustained by Plaintiff, whichever is greater;

~~(f) Pursuant to 15 U.S.C. § 1117, awarding Plaintiff its costs, expenses and attorneys' fees incurred with respect to this action;~~

(g) Pursuant to 15 U.S.C. § 1118, ordering the destruction of all plaques, posters, signs, labels, packages, wrappers, receptacles, advertisements and advertising materials, web pages, napkins, glasses, t-shirts and other merchandise bearing the infringing mark or designation which are in the possession of Defendants or under Defendants' control.

(h) Awarding Plaintiff both pre-judgment and post-judgment interest on any monies to be paid by Defendants;

(i) Awarding Plaintiff its costs, expenses and attorneys' fees incurred with respect to this action;

(j) Transferring the Defendants' Domain Name to Plaintiff; and,

(k) Awarding such other and further relief as to the Court seems just, proper and equitable.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38 (F.R.C.P 38), Plaintiff hereby demands a jury trial on all issues so triable.

Dated: February 25, 2011

Respectfully submitted:
RIFKIN, LIVINGSTON, LEVITAN &
SILVER, LLC

By: /S/
M. Celeste Bruce, Esq.
7979 Old Georgetown Road, Suite 400
Bethesda, Maryland 20814
(301) 951-0150 phone
(301) 951-0172

cbruce@rlls.com Email
Attorney for Plaintiff, QSG, Inc.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Quality Service Group, LLC

(b) County of Residence of First Listed Plaintiff West Palm Beach
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

M. Celeste Bruce, Rifkin, Livingston, Levitan & Silver, 7979 Old
Georgetown Rd. Ste. 400, Bethesda, MD 20814; (301) 951-0150

DEFENDANTS

Monte of Annapolis, Inc.; Domenica Tripodi; Willie
Koutrumpous; and Blue Martini

County of Residence of First Listed Defendant Anne Arundel Co.
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|---------------------------------------|---------------------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input checked="" type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

- | | | | | | |
|---|--|---|--|--|--|
| <input type="checkbox"/> 110 Insurance | PERSONAL INJURY | PERSONAL INJURY | <input type="checkbox"/> 610 Agriculture | <input type="checkbox"/> 422 Appeal 28 USC 158 | <input type="checkbox"/> 400 State Reapportionment |
| <input type="checkbox"/> 120 Marine | <input type="checkbox"/> 310 Airplane | <input type="checkbox"/> 362 Personal Injury - Med. Malpractice | <input type="checkbox"/> 620 Other Food & Drug | <input type="checkbox"/> 423 Withdrawal 28 USC 157 | <input type="checkbox"/> 410 Antitrust |
| <input type="checkbox"/> 130 Miller Act | <input type="checkbox"/> 315 Airplane Product Liability | <input type="checkbox"/> 365 Personal Injury - Product Liability | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | | <input type="checkbox"/> 430 Banks and Banking |
| <input type="checkbox"/> 140 Negotiable Instrument | <input type="checkbox"/> 320 Assault, Libel & Slander | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | <input type="checkbox"/> 630 Liquor Laws | <input type="checkbox"/> 820 Copyrights | <input type="checkbox"/> 450 Commerce |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | <input type="checkbox"/> 330 Federal Employers' Liability | PERSONAL PROPERTY | <input type="checkbox"/> 640 R.R. & Truck | <input type="checkbox"/> 830 Patent | <input type="checkbox"/> 460 Deportation |
| <input type="checkbox"/> 151 Medicare Act | <input type="checkbox"/> 340 Marine | <input type="checkbox"/> 370 Other Fraud | <input type="checkbox"/> 650 Airline Regs. | <input checked="" type="checkbox"/> 840 Trademark | <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) | <input type="checkbox"/> 345 Marine Product Liability | <input type="checkbox"/> 371 Truth in Lending | <input type="checkbox"/> 660 Occupational Safety/Health | | <input type="checkbox"/> 480 Consumer Credit |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits | <input type="checkbox"/> 350 Motor Vehicle | <input type="checkbox"/> 380 Other Personal Property Damage | <input type="checkbox"/> 690 Other | <input type="checkbox"/> 861 HLA (1395ff) | <input type="checkbox"/> 490 Cable/Sat TV |
| <input type="checkbox"/> 160 Stockholders' Suits | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 710 Fair Labor Standards Act | <input type="checkbox"/> 862 Black Lung (923) | <input type="checkbox"/> 810 Selective Service |
| <input type="checkbox"/> 190 Other Contract | <input type="checkbox"/> 360 Other Personal Injury | | <input type="checkbox"/> 720 Labor/Mgmt. Relations | <input type="checkbox"/> 863 DIWC/DIWW (405(g)) | <input type="checkbox"/> 850 Securities/Commodities/Exchange |
| <input type="checkbox"/> 195 Contract Product Liability | | | <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 864 SSID Title XVI | <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 |
| <input type="checkbox"/> 196 Franchise | | | <input type="checkbox"/> 740 Railway Labor Act | <input type="checkbox"/> 865 RSI (405(g)) | <input type="checkbox"/> 890 Other Statutory Actions |
| <input type="checkbox"/> 210 Land Condemnation | <input type="checkbox"/> 441 Voting | <input type="checkbox"/> 510 Motions to Vacate Sentence | <input type="checkbox"/> 790 Other Labor Litigation | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 891 Agricultural Acts |
| <input type="checkbox"/> 220 Foreclosure | <input type="checkbox"/> 442 Employment | Habeas Corpus: | <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act | <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 | <input type="checkbox"/> 892 Economic Stabilization Act |
| <input type="checkbox"/> 230 Rent Lease & Ejectment | <input type="checkbox"/> 443 Housing/ Accommodations | <input type="checkbox"/> 530 General | <input type="checkbox"/> 462 Naturalization Application | | <input type="checkbox"/> 893 Environmental Matters |
| <input type="checkbox"/> 240 Torts to Land | <input type="checkbox"/> 444 Welfare | <input type="checkbox"/> 535 Death Penalty | <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee | | <input type="checkbox"/> 894 Energy Allocation Act |
| <input type="checkbox"/> 245 Tort Product Liability | <input type="checkbox"/> 445 Amer. w/Disabilities - Employment | <input type="checkbox"/> 540 Mandamus & Other | <input type="checkbox"/> 465 Other Immigration Actions | | <input type="checkbox"/> 895 Freedom of Information Act |
| <input type="checkbox"/> 290 All Other Real Property | <input type="checkbox"/> 446 Amer. w/Disabilities - Other | <input type="checkbox"/> 550 Civil Rights | | | <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice |
| | <input type="checkbox"/> 440 Other Civil Rights | <input type="checkbox"/> 555 Prison Condition | | | <input type="checkbox"/> 950 Constitutionality of State Statutes |

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):

15 U.S.C. § 1121 and 28 U.S.C. §§ 1331, 1338 and 1367

Brief description of cause:

Federal Trademark Infringement

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

02/23/2011

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Quality Service Group, LLC

*

vs.

*

Case No. _____

Monte of Annapolis, Inc. d/b/a "Blue Martini"

*

DISCLOSURE OF CORPORATE INTEREST

Check all that apply:

☒ I certify, as party/counsel in this case that Quality Service Group, LLC
(name of party)
is not an affiliate or parent of any corporation, and no corporation, unincorporated association,
partnership or other business entity, not a party to the case, has a financial interest in the outcome
of this litigation as defined in Local Rule 103.3 (D. Md.)

☐ The following corporate affiliations exist with _____:
(name of party)

(names of affiliates)

☐ The following corporations, unincorporated associations, partnerships or other business
entities which are not parties may have a financial interest in the outcome of this litigation:

(names of entities with possible financial interests)

2/25/2011

Date


Signature

M. Celeste Bruce

10710

Printed Name

Bar Number

7979 Old Georgetown Road, Suite 400

Address

Bethesda, Maryland 20814

City/State/Zip

(301) 951-0150

Phone No.

(301) 951-0172

Fax No.